

Email: [licensing@middevon.gov.uk](mailto:licensing@middevon.gov.uk)  
 Website: <https://www.middevon.gov.uk/>

## BUSINESS AND PLANNING ACT 2020 APPLICATION FOR THE GRANT OF A PAVEMENT LICENCE

<b>Please ensure that you read all of the ‘information for applicants’ and the general conditions, before completing and submitting an application.</b>	
<b>Information for applicants</b>	
<b>1.</b>	Licences granted under this Act will be in force for a maximum period of 24 months. The Council may issue a shorter length licence than requested, if considered appropriate to do so.
<b>2.</b>	All licences will be subject to a schedule of general conditions which can be found in Appendix A, and to such other conditions as may be listed on the licence.
<b>3.</b>	There is a 14 day public consultation period, starting the day after the Council have received a complete application (and the relevant fee). The application will not be considered as ‘complete’ until all of the required documents have been submitted. It should be noted that the 14 day consultation period does not include (a) Christmas Day, (b) Good Friday, or (c) a day which is a bank holiday. The Authority then has 14 calendar days to consider and determine the application after the consultation.
<b>4.</b>	The applicant is encouraged to talk to neighbouring businesses and occupiers prior to applying to the local authority, and so take any issues around noise, and nuisance into consideration as part of the proposal.
<b>5.</b>	The application form <b>MUST</b> be accompanied by: <ul style="list-style-type: none"> <li>• A plan (or plans) showing the location of the premises highlighted by a red line, so the application site can be clearly identified. The plan should show the area covered by the licence in relation to the highway and be to a scale of 1:100. The plan should include the location of any entry/exit points to or from the premises and the precise location of any furniture to be placed on the highway.</li> <li>• Photographs, brochures or drawings showing design, dimensions and materials of the tables / chairs and any other furniture you propose to use.</li> <li>• In making this application there is a requirement for the applicant to affix a notice to the premises (see Appendix B), so it is easily visible and legible to the public on the day they submit the application to the Council. The notice must remain in place for 14 days, beginning the day after the application is submitted to the authority. Please submit alongside this application photographs of the Public Notice. One photograph should be taken of the wording on the notice, and another showing the notice in situ.</li> <li>• Evidence of Public Liability Insurance (£5 million)</li> <li>• Evidence of no objection from neighbouring frontager(s) to use footway space outside their property (if applicable)</li> <li>• Application fee– Cheque payments cannot be accepted</li> </ul>
<b>6.</b>	Once complete, this application form and any accompanying documents should be emailed to <a href="mailto:licensing@middevon.gov.uk">licensing@middevon.gov.uk</a> . The Council will then phone you to take payment of the application fee.

**Section A – Applicant Details (individual)**

Title: Mr <input type="checkbox"/> Mrs x <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Dr <input type="checkbox"/> Other [ <i>please specify</i> ]	
Surname:	Jenks
Other name(s):	Amanda
Home Address:	[REDACTED]
Postcode:	[REDACTED]
Phone (Daytime):	[REDACTED]
Phone (Mobile):	[REDACTED]
Email Address ( <i>this is the address on which we will correspond with you in respect of your application</i> ):	[REDACTED]
Date of birth:	[REDACTED]

**Section B – Applicant Details – Other Applicants (e.g. companies)**

Name:	
Registered Address:	
Post Code:	
Phone (Daytime):	
Phone (Mobile):	
E-mail address ( <i>this is the address on which we will correspond with you in respect of your application</i> ):	
Registered number (where applicable):	

When granted, the pavement licence is personal to the named licensee/business and cannot be transferred. If the named licensee/business changes, a NEW licence will be required and the appropriate fee will be charged.

### Section C – Business Premises Details

Trading Name:	Elsie Mays
Postal Address:	10 Phoenix Lane Tiverton
Post Code:	EX166LU

### Section D - Use of the business premises

I confirm that I have right to occupy the premises concerned by way of:	
Ownership / Part ownership of the title deed to the premises:	<input type="checkbox"/>
A current lease:	x <input checked="" type="checkbox"/>
Other (please stipulate):	
Is any of the proposed licence area in front of any other premises?	NO
<i>If YES you will need to attach to this application evidence from neighbouring frontage(s) that they have no objection to use of the footway space outside their property.</i>	

Which of the following is the above business premises used for? (please tick ONE of the following options):	
Use as a public house, wine bar or other drinking establishment	<input type="checkbox"/>
Other use for the sale of food or drink for consumption on or off the premises	<input type="checkbox"/>
Both of the above uses	x <input checked="" type="checkbox"/>

**Section E – Area of the highway proposed to be used**

<p>Please provide a description of the area of the highway to which this application relates: <i>(Please note you are also required to submit a scale plan of 1:100 of this area with your application)</i></p>	<p>Pedestrian area in Phoenix Lane that runs from the access road into Devonshire homes car park to the wishing well. It's to the right hand side of the trees.</p> <p>This area is not used as part of the pedestrian walkway into town.</p> <p>There is adequate pedestrian walkway/route in either direction to be able to get access into the town, to M&amp;S, Premier Inn or to the multi storey car park.</p>
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**Section G – National conditions**

<p>Please provide details of how you will comply with the national conditions (include any relevant distances / measurements where necessary).</p>	
<p><b>No-obstruction condition:</b> Under normal circumstances, a minimum clear footpath of 2m should be provided. Where this is not possible because of physical constraints, 1.5m may be regarded as the minimum acceptable.</p>	<p>A clear foot path does run up through Phoenix Lane which is more than 2 metres wide. We aim to have a boundary to ensure safety. See enclosed plan</p>

<p><b>smoke-free seating condition:</b> Where businesses provide seating for smokers, customers will also have the option of sitting in a non-smoking area.</p>	<p>This area will be non- smoking and signs will be displayed The café already has a designated smoking area away from the proposed sight.</p>
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**Section H – Relevant purpose the application relates to**

<p>Which of the following relevant purposes do you wish to put furniture on the highway for? <i>(please select ONE of the following options)</i></p>	
<p>To sell or serve food or drink supplied from, or in connection with relevant use of, the premises</p>	<p><input type="checkbox"/></p>
<p>For the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises</p>	<p><input type="checkbox"/></p>
<p>Both of the above purposes</p>	<p>x<input type="checkbox"/></p>

**Section I – Furniture to be placed on the highway**

<p>Please provide a description of the furniture you propose to place on the highway, including the numbers proposed. <i>(Please note you are required to provide photographs, brochures or drawings of the proposed furniture with your application. You must also show on the plan attached to this application where the furniture is to be sited).</i></p>	
<p>Tables:</p>	<p>8 x 60cm x 60cm square or round tables</p>
<p>Counters/stalls/shelves:</p>	<p>2 tables for clearing including table spray &amp; cloths</p>

Chairs/benches/other seating:	24 stackable chairs
Parasols:	Maximum 8 parasols
Heaters:	Max 1
Barriers:	6 x bolero barrier post with ropes Bunting could be used to outline the boundary along with pot plants
Other (specify):	2 waste bins 2 signs beware pedestrians crossing/ no smoking in this area
Where will the above furniture be stored when not in use?	Stacked in an enclosure in our café area when not in use and taken inside the building when we close
What will be the arrangements for clearing and cleaning the space at the end of the day?	We will set and pack up the area every morning & evening. This includes the removal of all barriers, furniture & fixtures. Sweep up and empty bins into our own trade waste. This is located in our own compound
Are you providing a waiter/waitress service?	Yes and also to seat & clear area
Will any other demarcation be used to define the area?	Yes- bunting tied to existing barriers

**Guidance Note:** The plan should clearly identify the precise location of the proposed site position by marking the site boundary with a red line. The red line should include the whole area. The map should be sufficient to identify the nearest residential and commercial properties to the site in relation to the existing premises.

If you are applying for a location that is not immediately adjacent to the business premises, you will need to provide us with a map that identifies the proposed site position in relation to the business premises.

**Section J - Length of licence and proposed days and times of operation**

Date and period the licence is applied for (from / to): NOTE: <i>Licences can be granted for no more than 24 months from date of issue.</i>		From:					
		To:					
Times requested (please use 24hr clock):							
	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
From:	08.00	08.00	08.00	08.00	08.00	08.00	08.00
To:	17.00	17.00	17.00	17.00	17.00	17.30	16.00

**Section K – Management plan**

Please use the boxes below to detail how you propose to manage the relevant area if a licence is granted.

Public nuisance:
The area will be maintained by a member of staff
Public safety:
Risk Assesment carried out with daily check list Road sign for access into the car park Beware Pedestrians Crossing  Non smoking area defined
Crime and disorder:
The area to be maintained by a staff member

**Section L – Date of application 05/05/2026**

Please state the date that this application for a pavement licence is being submitted:	05/05/2026
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**Section M - Declaration and signature**

I hereby make an application for the grant of a pavement licence in accordance with the Business and Planning Act 2020.

I declare that the information provided in this form is true and I understand that I may be liable to legal proceedings being taken against me (or the revocation of a Pavement Licence which may be issued to me) if my disclosures are found to be knowingly misleading or untrue.


I understand that I am required to give notice of my application in accordance with the requirements of the Business and Planning Act 2020 and that failing to do so will lead to the revocation of any licence granted (or the application being refused if a licence has yet to be granted).

I understand that the application fee paid is non-refundable if my application is refused or if any licence granted is subsequently surrendered or revoked.

I confirm that I will adhere fully to the conditions issued in conjunction with a licence and understand that any breach may lead to the revocation of the licence.

I give my consent for the Council to process my data for the purposes of processing this application and any future enforcement.

I understand that the grant of a pavement licence only permits the placing of furniture on the highway. A pavement licence does not negate the need to obtain approvals under other regulatory frameworks, such as the need for a licence to sell alcohol, and the need to comply with registration requirements for food businesses.

<i>Signature</i>	
Print Name	Amanda jenks
Position within company/business (if applicable)	Sole trader
Date	04/05/2026

**Section N – Checklist**

Please note that your application will not be considered complete and the public consultation period of 14 days will not begin unless all of the following documents have been submitted with your application. It should be noted that the 14 day consultation

period does not include (a) Christmas Day, (b) Good Friday, or (c) a day which is a bank holiday.	
A plan (or plans) showing the location of the premises highlighted by a red line, so the application site can be clearly identified. The plan should show the area covered by the licence in relation to the highway and be to a scale of 1:100. The plan should include the location of any entry/exit points to or from the premises and the precise location of any furniture to be placed on the highway.	x <input type="checkbox"/>
Photographs, brochures or drawings showing design, dimensions and materials of the tables / chairs and any other furniture you propose to use.	x <input type="checkbox"/>
In making this application there is a requirement for the applicant to affix a notice to the premises, so it is easily visible and legible to the public on the day they submit the application to the Council. The notice must remain in place for 14 days, beginning the day after the application is submitted to the authority. Please submit alongside this application photographs of the Public Notice. One photograph should be taken of the wording on the notice, and another showing the notice in situ.	x <input type="checkbox"/>
Evidence of Public Liability Insurance (£5 million)	x <input type="checkbox"/>
Evidence of no objection from neighbouring frontager(s) to use footway space outside their property (if applicable)	x <input type="checkbox"/>
Application fee – Cheque payments cannot be accepted	x <input type="checkbox"/>
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## DATA PROTECTION

Any personal information which you provide will be held and used by Mid Devon District Council for the purpose of the Licensing Service to process your Pavement Licence application and administer any licence which is granted. This may include sharing your application (and accompanying information) with authorities that Mid Devon District Council decide to consult on your application.

Your information may also be shared within Mid Devon District Council for the purposes of carrying out our lawful functions. Otherwise your personal information will not be disclosed to anybody outside Mid Devon District Council without your permission, unless there is a lawful reason to do so, for example disclosure is necessary for crime prevention or detection purposes. Your information will be held securely and will not be retained for any longer than is necessary. There are a number of rights available to you in relation to our use of your personal information, depending on the reason for processing. Further details about our use of your personal information can be found online at <https://www.middevon.gov.uk/privacy-notice/>.